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2 United States Attorney
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

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12 UNITED STATES OF AMERICA,) No. CR 07-00473 PJH
13 Plaintiff,) [PROPOSED] ORDER SETTING INITIAL
14 v.) APPEARANCE BEFORE DISTRICT
15 DONALD CLYBURN,) COURT AND EXCLUDING TIME
16 Defendant.)
17 SAN FRANCISCO VENUE

18 On July 27, 2007, defendant made his initial appearance in this matter before Magistrate
19 James Larson. Defendant was arraigned on the Indictment and entered a plea of not guilty. The
20 government needs to provide discovery, and the defense needs time to review that discovery.
21 Accordingly, the parties agreed and requested to continue the matter to August 22, 2007, at 2:30
22 p.m. for the initial appearance before United States District Court Judge Phyllis J. Hamilton. The
23 parties also agreed that time should be excluded under the Speedy Trial Act for effective
24 preparation of defense counsel in reviewing that discovery. For these reasons, and other good
25 cause appearing, IT IS HEREBY ORDERED THAT:

- 26 1. The ends of justice served by granting the continuance outweigh the best interests
27 of the public and the defendant in a speedy and public trial;
28 2. Defense counsel needs time to review discovery in this matter;

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[PROPOSED] ORDER SETTING INIT. APP. BEFORE DIST. COURT AND EXCLUDING TIME;
U.S. v. Clyburn, CR 07-00473 PJH

3. A status hearing is set before the Honorable Phyllis J. Hamilton at 2:30 p.m. on August 22, 2007; and
 4. The time from July 27, 2007, to and including August 22, 2007, is excluded under the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A) and (B).

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
W. DOUGLAS SPRAGUE
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 8/1, 2007

James Larson
JAMES LARSON
U.S. MAGISTRATE JUDGE